

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Kenneth A Hershey v Department of Corrections**
Docket No. **285115**
L. Ct. No. **96-139781-FH**

Henry William Saad, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The complaint for a writ of habeas corpus and the motion to waive fees are DISMISSED for lack of jurisdiction because plaintiff, who is a prisoner under the supervision of the Department of Corrections, owes a fee of \$371 in the civil action of *Hershey v Department of Corrections*, Docket No. 274220, which he filed while under the Department's supervision. A prisoner who is under the Department's supervision cannot file another civil appeal or original action until the prisoner pays the outstanding balance owed in an earlier civil action filed while under the Department's supervision. MCL 600.2963(8).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUN - 5 2008

Date

Sandra Schultz Mengel

Chief Clerk